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VARSHA I. PATEL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ORGANIZATION FOR THE
ADVANCEMENT OF MINORITIES
WITH DISABILITIES SUING ON
BEHALF DAVID SINGLETARY AND
ITS MEMBERS; and DAVID
SINGLETARY, An Individual

Plaintiffs,

vs.

RAMADA LIMITED –DOWNTOWN;
RAMADA FRANCHISE SYSTEMS,
INC.; SUMATI I PATEL-PAREEK;
VARSHA I PATEL; PATEL,
DAHYABHAI R
(TRUSTEE/CONSERVATOR); PATEL,
SHANTABEN D
(TRUSTEE/CONSERVATOR), LIVING
TRUST; And DOES 1 THROUGH 10,
Inclusive

Defendants.

Case No. C 04 3388 PJH

**STIPULATION AND [PROPOSED]
ORDER SETTING ASIDE DEFENDANT
VARSHA I. PATEL'S DEFAULT**

Courtroom: 3

Judge: Hon. Phyllis J. Hamilton

Action Filed: August 18, 2004

Trial Date: Not Set

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1 **IT IS HEREBY STIPULATED AND AGREED AND RESPECTFULLY**
2 **REQUESTED** by and between the parties to this action, as reflected by the signatures of their
3 respective counsel as set forth below, that the Default entered by the Clerk on December 15,
4 2004, against Defendant Varsha I. Patel be set aside. The grounds for this stipulated request are:

- 5 1. Excusable neglect on the part of the defendant Varsha I. Patel caused the delay in
6 filing an answer to plaintiff's complaint; and,
7
8 2. Defendant Varsha I. Patel has submitted a proposed answer alleging that she has a
9 good and meritorious defense to the claims for relief alleged.

10 Accordingly, the parties respectfully request that the Court set aside the Default entered
11 on December 15, 2004, against Defendant Varsha I. Patel.

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13
14 Respectfully submitted,

15 Dated: May 31, 2005

CRAIGIE, MCCARTHY & CLOW

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18 By: /s/ James M. Hanavan
19 James M. Hanavan
20 Attorneys for Defendant VARSHA I. PATEL

21 Dated: May 25, 2005

PINNOCK & WAKEFIELD

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24 By: /s/ Theodore Pinnock
25 Theodore Pinnock
26 Attorneys for Plaintiffs

Order

Pursuant to the Stipulation of the parties as set forth above, and for good cause shown,

IT IS HEREBY ORDERED that the Default entered on December 15, 2004, against Defendant Varsha I. Patel is set aside.

6/1/05

Dated: _____



Judge Phyllis J. Hamilton